

Applicant : Adam C. Bedford et al.
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REMARKS

Claims 1-20 are pending in the present amendment. Reconsideration on the merits is respectfully requested.

Applicant gratefully acknowledges the courtesies extended during an interview conducted March 16, 2005, during which the independent claims, cited art, and proposed amendment were discussed. The present response is believed to be consistent with that interview.

As discussed during the interview, the Office Action contained a clerical error, in that the claims 21-28 were first restricted out and withdrawn from consideration, but then later were accidentally listed in the rejection over cited art. Upon reading the rejection, it is clear that the Examiner did not intend to include the claims 21-28 in the rejection. For example, claim 21 defines, among other things, a headrest. But the cited art does not disclose or suggest a headrest or structure of interest relative to the headrest. During the interview, the Examiner acknowledged that he did not intend to include claims 21-28 as part of the rejection in the Office Action.

Claims 1, 11 and 15 have been clarified and are believed to be allowable based on the interview, since (as discussed in the interview) they define claim elements not shown or suggested in the cited art of Faiks '117, Faiks '184, and/or Holbrook '320, nor in the other cited art. Dependent claims are also believed to be in condition for allowance since they are dependent on an allowable base claim and further since they define patentable subject matter on their own merits.

Restricted out claims 21-28 are cancelled without prejudice. Applicant retains the right to file a divisional application on these claims.

Also attached is a Supplemental IDS disclosing art having some type of overtorque or clutch device associated with a chair. The present claims are believed to define over this art. Nonetheless, the Examiner is invited to come to his own conclusion regarding allowance of the claims over this art.

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It is noted that the Patent Office is already authorized to charge our Depository Account No. 16 2463 for any additional fees that are due as a result of this amendment, in a paper filed with the original application.

Respectfully submitted,

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Date


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